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Oceans and the law of the sea

Letter dated 12 August 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Honduras to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a copy of the communication dated 6 August 2002 from the Deputy Minister for Foreign Affairs, Mr. Aníbal Quiñónez (see annex), transmitting a protest note dated 30 July 2002 from the Minister for Foreign Affairs of Honduras, Mr. Guillermo Pérez-Cadalso Arias, addressed to the Government of Nicaragua concerning the publication by the Nicaraguan Energy Institute of a "Map of areas opened for oil exploration".

I should be grateful if you would have this letter and its annex circulated among the States Members of the United Nations as a General Assembly document, under item 25 of the provisional agenda, entitled "Oceans and the law of the sea".

(*Signed*) Marco Antonio **Suazo**
Ambassador
Deputy Permanent Representative
Chargé d'affaires a.i.

* A/57/150.

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Annex to the letter dated 12 August 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Honduras to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a protest note dated 30 July 2002 from the Minister for Foreign Affairs addressed to the Government of Nicaragua (see appendix) concerning the publication by the Nicaraguan Energy Institute of a "Map of areas opened for oil exploration". The map was published in connection with the announcement of tenders for oil exploration, to the detriment of Honduran maritime spaces in the territorial sea, the contiguous zone and the exclusive economic zone in the Pacific Ocean.

I hereby instruct you to transmit the protest note formally to the Secretary-General of the United Nations and to request him to circulate it among the Members of the United Nations.

(*Signed*) Aníbal E. **Quiñónez** A.
Deputy Minister for Foreign Affairs

Appendix

I have the honour to inform you that the Government of the Republic of Honduras protests in the strongest possible terms over the publication by the Nicaraguan Energy Institute of the "Map of areas opened for oil exploration". The map was published in connection with the announcement of tenders for oil exploration, to the detriment of Honduran maritime spaces in the territorial sea, the contiguous zone and the exclusive economic zone in the Pacific Ocean. Those maritime spaces have been recognized as inherent parts of the Republic of Honduras by virtue of its status as a coastal State of the Bay of Fonseca, under the Judgment of the International Court of Justice dated 11 September 1992 (Case concerning the land, island and maritime frontier dispute between Honduras and El Salvador, with Nicaragua intervening), which took into account the 1917 judgement of the Central American Court of Justice (Case of the Bryan-Chamorro Treaty, El Salvador vs. Nicaragua) and State practice.

My Government also issues a firm and emphatic protest over the unilateral attempt by Nicaragua to change the legal status of the waters of the Gulf of Fonseca, in violation of the objective legal regime established by the aforementioned Judgment of the International Court of Justice and by the 1917 judgement of the Central American Court of Justice.

My Government rejects the provocative claims by Nicaragua to Honduran maritime spaces in the Pacific Ocean for oil exploration and exploitation, or for any other activity coming within the exclusive State jurisdiction of the Republic of Honduras in such areas under international law.

My Government also rejects as contrary to international law — and, accordingly, as not invocable against Honduras — Nicaragua's unilateral claim for a change in the legal regime of co-ownership and co-sovereignty over the non-demarcated waters of the Gulf of Fonseca.

Lastly, the Government of Honduras reserves the right to take such legal actions and measures as it may deem appropriate and necessary to defend and safeguard its rights and interests in the Gulf of Fonseca and in its maritime spaces in the Pacific Ocean.

(*Signed*) Guillermo **Pérez-Cadalso Arias**
Minister for Foreign Affairs